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5 Counsel for Defendant DOYLE

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, )  
12 ) No. CR 08-00021 CW  
Plaintiff, )  
13 ) STIPULATION AND ORDER  
v. ) CONTINUING TRIAL SETTING  
14 ) DATE AND EXCLUSION OF TIME  
15 )  
16 ROBERT DOYLE, )  
Defendant. )  
17

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status date or  
19 trial setting date in this case, currently scheduled for Wednesday, June 11, 2008, before Honorable  
20 Claudia Wilken, may be continued to Wednesday, June 25, 2008, at 2:30 p.m. for change of plea or  
21 trial setting. Defense counsel is continuing with its investigation which may impact the resolution of  
22 this case. In addition, government counsel is starting trial next week. The additional two weeks will  
23 allow the defense to continue its investigation and provide additional time for the parties to try and  
24 resolve the case. The parties stipulate that the time from June 11, 2008, to June 25, 2008, should be  
25 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and  
26

(B)(iv) for adequate preparation of counsel so that counsel can receive any outstanding discovery, continue with its investigation and discuss with the government a possible resolution of the case.

DATED: May 28, 2008

\_\_\_\_\_  
JOYCE LEAVITT  
Assistant Federal Public Defender

/S/

DATED: May 28, 2008

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THOMAS MOORE  
Assistant United States Attorney

I hereby attest that I have on file all holographed signatures for any signatures indicated by a conformed signature (/s/) within this e-filed document.


### ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status or trial setting date in this case, currently scheduled for Wednesday, June 11, 2008, before Honorable Claudia Wilken, may be continued to Wednesday, June 25, 2008, at 2:30 p.m. for change of plea or trial setting.

IT IS FURTHER ORDERED that the time from June 11, 2008, to June 25, 2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for adequate preparation of counsel so that counsel can receive the requested discovery and continue with its investigation. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendant in a speedy and public trial and the failure to grant the requested continuance would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account due diligence.

SO ORDERED.

DATED: 6/9/08

  
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HONORABLE CLAUDIA WILKEN  
United States District Judge